UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/115,273	07/14/1998	MATTHEW J. MASON	PLAT-01001US	1196

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EXAMINER
NGUYEN, CAO H

ART UNIT	PAPER NUMBER
2173	

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Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/115,273	MASON, MATTHEW J.
	Examiner	Art Unit	
	Cao (Kevin) Nguyen	2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>06 October 2005</u>.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>17-24, 41-48, 65-72 and 81-87</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>17-24, 41-48, 65-72 and 81-87</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

This Office action is responsive to the Request for Continued Examination (RCE) filed under 37

CFR §1.53(d) for the instant application on 10/06/05.   Applicants have properly set forth the

RCE, which has been entered into the application, and an examination on the merits follows

herewith.

Claim Rejections - 35 USC § 103

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth
> in section 102 of this title, if the differences between the subject matter sought to be patented and the prior
> art are such that the subject matter as a whole would have been obvious at the time the invention was made
> to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be
> negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the

claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various

claims was commonly owned at the time any inventions covered therein were made absent any

evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out

the inventor and invention dates of each claim that was not commonly owned at the time a later

invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c)

and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

2.　　　　Claims 17-24, 41-48, 65-72 and 81-87 are rejected under 35 U.S.C. 103(a) as

being unpatentable over Hayes, Jr. et al. (US Patent No. 6,339,826) in view of Schneider et al.

(US Patent No. 6,105,027).

Regarding claim 17, Hayes discloses a configuration device configured to perform

configuration management functions on objects within said configuration management system,

the objects comprising items that associated with the development of a product (see col. 7, lines

1-67); a server machine for executing said configuration device and producing display

information for said representation of said objects within said configuration management system;

and a network interface connecting said server machine to a network, wherein said network

interface is a web interface and said network is one of the Internet and an intranet (see col. 18,

lines 14-67 and figure 13); wherein said server machine transmits information produced by said

configuration device and said display information over said network for display on a remote

computer (see figure 1-2).

However, Hayes fails to explicitly teach a display device configured to display a

representation of objects in a presentation having a tree display of objects in configuration

management system, and a content display that displays items selected in tree display.

Schneider teaches a display device configured to display a representation of objects in a

presentation having a tree display of objects in configuration management system, and a content

display that displays items selected in tree display (see col. 22, lines 36-61). A combination of

displays items selected of Schneider and the network configuration administrator of Hayes,

would, perform the efficiency of operating the configuration management interface.

Therefore, it would have been obvious to one of an ordinary skill in the art, having the teachings of Hayes and Schneider before him at the time the invention was made to modify the displays items selected of Schneider and the network configuration administrator of Hayes. Though intended use the actual invention claims it just a configuration device configured to perform configuration management functions on objects within said configuration management system.

One would have been motivated to make such a combination for the advantage of configuring management to perform configuration object presentations on display device; resulting in an intended use and design choice; and wherein the transmitted information includes one of an Active X component, Visual Java program, Java applet, and PERL program configured to utilize the information produced by said configuration device in said presentation (see col. 27, lines 5-50).

Regarding claims 18 and 42, Hayes discloses wherein said one of an Active X component, Visual Java Program, Java applet, and PERL program are further configured to provide access to selected of said configuration management functions (see col. 6, lines 14-67).

Regarding claim 19, Hayes discloses wherein said selected configuration management functions include at least one of object state changes, object check-in, object check-out, create package, difference of disparate objects, move package, promote package, demote package, snapshot, approve, list version, list difference, remove item, notify, concurrent merge, cross environment verge, interactive merge, execute user defined process (UDP); and state changes are performed by drag and drop procedures utilizing said representation of objects (see col. 12, lines 1-64).

Regarding claim 22, Hayes discloses wherein said report generator generates said access reports when the selected object is one of a user group, object, and environment; said package based reports when the selected object is a package; and said version control reports when the selected object is a package (see col. 15, lines 5-67).

Regarding claims 23 and 24, Hayes discloses wherein said report generator is configured to produce said reports in InfoReport report formats; and access reports include information indicating which users and user groups have access to execute specified functions in an environment; version control reports include a list of items organized by at least one of version, check out parameters, branches, modification by user, modification by environment, and current release; and said package based reports include a list of items organized by at least one of items modified by packages, packages by state, time in state, and packages by form items (see col. 20, lines 18-64).

Regarding claim 43, Hayes discloses selected configuration management functions include at least one of object state changes, object check-in, object check-out, create package, difference of disparate objects, move package, promote package, demote package, snapshot, approve, list version, list difference, remove item, notify, concurrent merge, cross environment verge, interactive merge, execute user defined process (UDP); and said method further comprises the step of: performing said state changes by drag and drop procedures utilizing said representation of said objects (see col. 21, lines 1-63).

As claims 44-48, 65-72 and 81-83 are analyzed as previously discussed with respected to claims 17-24 and 41-43.

Claim 84 differs from claim 17 in that "a registration device configured to register an

application as associated with a type of version; and a view version device configured to, check

out a version from configuration management system, and execute an application registered as

associated with the version checked out" which set to reply upon Hayes (see col. 11-12, lines 1-

65).

As claims 85-87 are analyzed as previously discussed with respected to claims 1 and 85.

Response to Arguments

Applicant's arguments filed on 08/31/05 have been fully considered but they are not

persuasive.

In response to applicant's argument that the objects comprising items that associated with

the development of a product, the fact that applicant has recognized another advantage which

would flow naturally from following the suggestion of the prior art cannot be the basis for

patentability when the differences would otherwise be obvious. See *Ex parte Obiaya*, 227

USPQ 58, 60 (Bd. Pat. App. & Inter. 1985).

A combination of displays items selected of Schneider and the network configuration

administrator of Hayes, would, perform the efficiency of operating the configuration

management interface. Though intended use the actual invention claims it just a configuration

device configured to perform configuration management functions on objects within

configuration management

In response to applicant's argument on pages 14-15 that there is no suggestion to

combine the references, the examiner recognizes that obviousness can only be established by

combining or modifying the teachings of the prior art to produce the claimed invention where

there is some teaching, suggestion, or motivation to do so found either in the references

themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re*

Fine, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988)and *In re Jones*, 958 F.2d 347, 21

USPQ2d 1941 (Fed. Cir. 1992). In this case, Hayes discloses a configuration device configured

to perform configuration management functions on objects used in combination of Schneider's a

display device configured to display a representation of objects in a presentation having a tree

display of objects in configuration management system, and a content display that displays items

selected in tree display. One skilled in the art would have been obvious to provide a display

device configured to display a representation of objects in a presentation having a tree display of

objects in configuration management system, and a content display that displays items selected

in tree display as taught by Schneider client-server system of Hayes in order to provide a user

interface is painted by a tree rendering component that allows intuitive navigation and

interpretation of the tree structure.

In response to applicant's argument that on page 16 the first paragraph of the remarks;

Applicant argues that the combination of Hayes and Schneider do not teach or suggest

"configured to perform configuration management functions on objects within the configuration

management system." However, the limitations as claimed which broadly read on Hayes "FIG.

1 shows one high level view of an intended environment for practicing the invention. A network

is provided for interconnecting a plurality of user stations, such as desktop personal computers,

mobile laptop computers, workstations, an administrator's station and a server. Network might

include wide area networking for entities such as corporations that have geographically

dispersed sites that are still included within the system. There is no intent to limit the

environment in which the invention might be practiced; indeed, a network of any type that

interconnects many types of stations is envisioned. A high-level diagram of the profile

management administrative operating environment is shown in FIG. 2. An administrator client

network computer is represented on the left and a server for the system is on the right. The

client and server communicate via a network represented. The particular example of FIG. 2

assumes that the client computer is a system administrator's computer. Profile manager on the

client side allows the administrator to configure user applet preferences at both user and group

levels. The administrator can create new users and group hierarchies, add users to different

groups, specify applet permissions for each group and for individual users. And the

administrator can configure applets in the context of an individual user or a group. The

administrator can add, delete and reset passwords for users. Profile management support is

transparent to the general user. The administrator can invoke the profile manager in the context

of any user or group. Only the administrator can change from his/her context to administer

clients (users) and groups. The server will not allow a user without administrative authority to

switch context. When a request comes into the server, it will query the authenticated ID of the

user trying to access this function. If the user does not possess administrative authority, the

Profile Manager Servlet will reject the request. Profile manager invokes other applets, such as

applet1, as shown in FIG. 2. In this example, applet1 might be the administrative applet for

configuring preferences related to user desktops. Or applet1 could be a configuration utility

related to an end user applet, such as editors, word processors, databases, etc. It is preferred, but

not required, that configuration applets such as exist as modules separate from their

corresponding user applets. Applet1 is typically a configuration applet for a user applet; the

administrator runs the configuration applet applet1 under a group context to set group

preference and permission defaults, or in a user context to customize user applet configurations

for an individual. By implementing applet1 as a module separate from its user applet,

performance is enhanced, since the configuration applet1 will likely be small compared to the

user applet. Also, separate configuration applets allow the administrator to control the end

user's ability to configure the user applet" see Hayes col. 7, lines 33-67 and col. 8, lines 6-37.

In response to applicant's argument that on page 16 the first paragraph of the remarks;

Applicant argues that the combination of Hayes and Schneider do not teach or suggest "the

display of object in a configuration management system"; however, the limitations as claimed

which broadly read on Schneider "FIG. 10 shows the display used to define information sets.

Here, window contains a hierarchical list of information sets and window contains a

hierarchical list of the available resources. The hierarchical list of information sets and the

hierarchical list of available user groups made in the same fashion as the list of user groups.

Again, information sets and available resources over which the user of display has

administrative authority appear in black; the other items on the list appear in gray. In

window the available resources are the Internet and the two locations that make up VPN. In a

more developed VPN, the list of available resources would indicate servers at the location,

services in the servers, and the information items provided by the services. For example, if the

service provides a directory tree, the information items contained in the directory tree would be

indicated by means of a pathname which specified the root of the directory tree and used

wildcard characters to specify the files above the root in the tree. When a resource is added to a

server, the resource may be defined via the window. Having thus been defined, a resource may

be assigned to an information set in the same fashion that a user identification is assigned to a

user group. Again, clicking on the apply button causes the changes in display to be propagated

to all copies of access control database. FIG. 11 shows the display used to define policies.

Which type of policy is being defined is specified in button bar; as indicated there, display is

defining access policy. All of the policy displays have the same general format: a window

which contains a hierarchical display of user groups, a window which contains a display of a

hierarchy of objects for which policy may be defined and a policy definition window which

contains access policy definitions. In the hierarchy of objects, objects for which the user of

display has the right to define policies appear in black; the others appear in gray. In display,

what is being defined is access policies, so the objects are information sets; see Schneider col.

23, lines 14-67.

Accordingly, the claimed invention as represented in the claims does not represent a

patentable distinction over the art of record.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure. (see PTO-892).

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Cao (Kevin) Nguyen whose telephone number is (571)272-4053.

The examiner can normally be reached on 8:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John Cabeca can be reached on (571)272-4048. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Cao (Kevin) Nguyen
Primary Examiner
Art Unit 2173

12/07/05